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Number of Pages Including this Page: 7

- 1) Req. for Cont. Examination transmittal
- 2) Preliminary Response
- 3) Fee Transmittal
- 4)
- 5)

Inventor(s): Smith et al.S.N.: 09/759,864Filed: 1/12/2001Case: 7917M**Comments:**

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Assistant Commissioner for Patents
Box RCE
Washington, D.C. 20231

Application Number	09/759,864
Filing Date	January 12, 2001
First Named Inventor	Steven Daryl Smith et al.
Group Art Unit	1616
Examiner Name	Pryor, Alton Nathaniel
Attorney Docket Number	7917M
Confirmation Number	2406

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

H/J
R. Martin
4/16/03

2. Miscellaneous

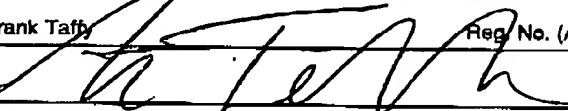
- a. Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-2480.

- i. RCE fee required under 37 C.F.R. §1.17(e)
- ii. Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- iii. Suspension of action fee under 37 C.F.R. 1.17(i)
- iv. Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME (Print/Type)	Frank Taffy	Reg. No. (Attorney/Agent) 52,270
SIGNATURE		
	DATE 28 March 2003	

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

01 FC:1253 930.00 CH
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SIGNATURE		DATE 28 March 2003
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(Revised for P&G use 4/22/02)

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/759,864
Confirmation Number	2406
Filing Date	January 12, 2001
First Named Inventor	Steven Daryl Smith et al.
Examiner Name	Alton Nathaniel Pryor
Group/Art Unit	1616
TOTAL AMOUNT OF PAYMENT	(\$1680.00)
Attorney Docket No.	7917M

METHOD OF PAYMENT (check one)

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480
 Deposit Account Name The Procter & Gamble Company
 [X] Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION

1. BASIC FILING FEE - Large Entity

Code (\$)	Fee Description	Fee Paid
1001 750	Utility filing fee	[750]
1002 330	Design filing fee	□
1004 750	Reissue filing fee	□
1005 160	Provisional filing fee	□

SUBTOTAL (1) (\$)[750.00]

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity

Total Claims	Extra Claims	Fee from Below	Fee Paid
□	• 20** =	□ x	□ = □

Independent Claims	□ • 3** =	□ x	□ = □
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Multiple Dependent	□	= □
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** or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 84	Independent claims in excess of 3
1203 280	Multiple dependent claim, if not paid
1204 84	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$)[]

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
1051 130	Surcharge-late filing fee or oath	□
1052 50	Surcharge-late provisional filing fee or cover sheet	□
1053 130	Non-English specification	□
1812 2,520	For filing a request for ex parte reexamination	□
1804 920*	Requesting publication of SIR prior to Examiner's action	□
1805 1,840*	Requesting publication of SIR after Examiner's action	□
1251 110	Extension for reply within 1 st month	□
1252 410	Extension for reply within 2 nd month	□
1253 930	Extension for reply within 3 rd month	[930]
1254 1,450	Extension for reply within 4 th month	□
1255 1,970	Extension for reply within 5 th month	□
1401 320	Notice of Appeal	□
1402 320	Filing a brief in support of an appeal	□
1403 280	Request for oral hearing	□
1451 1,510	Petition to institute a public use proceeding	□
1452 110	Petition to revive - unavoidable	□
1453 1,300	Petition to revive - unintentional	□
1501 1,300	Utility issue fee (or reissue)	□
1502 470	Design issue fee	□
1460 130	Petitions to the Commissioner	□
1807 50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	□
1806 180	Submission of Information Disclosure Statement	□
1809 750	Filing a submission after final rejection (37 CFR § 1.129(a))	□
1810 750	For each additional invention to be examined (37 CFR §1.129(b))	□
1801 750	Request for Continued Examination (RCE)	□
1802 900	Request for expedited examination of a design application	□
1454 1300	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	□
Other fee (specify)	□	
Other fee (specify)	□	

* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$)[930.00]

SUBMITTED BY

Name (Print/Type)	Frank Taffy	Registration No.	52,270	Complete (if applicable)
Signature		Telephone	(513) 634-9315	Date

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(Revised for P&G use 01/01/2003)

Case 7917M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
STEVEN DARYL SMITH, et al. :
Serial No. 09/759,864 : Group Art Unit 1616
Filed 12 January 2001 : Examiner A. Pryor
For SYSTEMS FOR :
CONTROLLING PLANT AND
FLOWER MOISTURE
TRANSPIRATION RATES

*1/13
A. Horner
4/1/03*

PRELIMINARY RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated 28 June 2002, finally rejecting claims 1 to 12 and 14 to 27, and upon entry of the Request for Continued Examination submitted herewith, please consider the Remarks set forth herein. Moreover, the Applicants hereby petition the Office for a three-month extension of time in which to prosecute the above-captioned application. In this respect, the Applicants hereby authorize the Office to charge any and all necessary fees, and credit any overpayment thereof, to maintain the pendency of the present application to the Applicants' Deposit Account, No. 16-2480.